

**SEVENTY-NINTH LEGISLATIVE DAY
TUESDAY, MARCH 29, 2005**

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed 69 members present.
Absent and excused -- Nonini. Total -- 1.
Total -- 70.

Prayer was offered by Representative Trail.

The Pledge of Allegiance was led by Cassie Carlson, Page.

Approval of Journal

March 29, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-eighth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

OFFICE OF THE GOVERNOR
Boise

March 25, 2005

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 163 and H 187

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

March 28, 2005

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House

Bills, to wit:

H 18, H 40, H 64, H 67, H 94, as amended, **H 99, H 132, H 133, H 157, H 182, H 185**, as amended, **H 191, H 192, H 204, H 205, H 206, H 214**, as amended, **H 245, H 264, H 296, H 297, H 302, H 303, H 304, H 305, H 309**, and **H 316**

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

Report of Standing Committees

March 29, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 27, H 388, H 389, H 390**, and **H 391**.

FIELD(18), Chairman

H 391 was referred to the Resources and Conservation Committee.

HCR 27, H 388, H 389, and **H 390** were filed for second reading.

March 29, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 352, H 355, H 356, H 357, H 358, H 359, H 360, HJM 7, HJM 9, H 322, H 337, H 324**, and **H 127**, as amended.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 352, H 355, H 356, H 357, H 358, H 359, H 360, HJM 7, HJM 9, H 322, H 337, H 324**, and **H 127**, as amended, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 29, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 130**, as amended, as amended in the Senate, **H 92**, as amended in the Senate, **H 36**, as amended in the Senate, **H 37**, as amended in the Senate, and **H 281**, as amended in the Senate.

FIELD(18), Chairman

H 130, as amended, as amended in the Senate, **H 92**, as amended in the Senate, **H 36**, as amended in the Senate, **H 37**, as amended in the Senate, and **H 281**, as amended in the Senate, were filed for first reading of engrossed bills.

March 29, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 327, H 328, H 329, H 330, H 338, H 339, H 340, H 341**,

H 342, H 38, H 97, as amended, **H 252, H 271, H 261, H 197**, as amended, **H 159, H 138, H 263, H 139**, as amended, **H 160**, as amended, **H 54, H 68**, as amended, **H 193**, and **H 266** to the Governor at 2:15 p.m., as of this date, March 28, 2005.

FIELD(18), Chairman

S 1183, held at the Desk, March 17, 2005, was referred to the Transportation and Defense Committee.

March 28, 2005

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENT, ENERGY, AND TECHNOLOGY, report that we have had under consideration **S 1192, S 1220**, and **S 1228** and recommend that they do pass.

RAYBOULD, Chairman

S 1192, S 1220, and **S 1228** were filed for second reading.

March 28, 2005

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **SCR 118** and recommend that it do pass.

BLOCK, Chairman

SCR 118 was filed for second reading.

Mrs. Bell asked unanimous consent that **HCR 27** be returned to the Appropriations Committee. There being no objection, it was so ordered.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 393

BY APPROPRIATIONS COMMITTEE

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE SUPREME COURT FOR DRUG COURTS, FAMILY COURT SERVICES, AND MENTAL HEALTH COURTS FOR FISCAL YEAR 2006; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR COMMUNITY MENTAL HEALTH SERVICES FOR FISCAL YEAR 2006; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO AN INTERBRANCH AGREEMENT BETWEEN THE IDAHO SUPREME COURT AND THE DEPARTMENT OF HEALTH AND WELFARE; AND AUTHORIZING THE DEPARTMENT OF HEALTH AND WELFARE TO MAXIMIZE FEDERAL FUND PARTICIPATION IN THE TREATMENT OF ELIGIBLE PERSONS THROUGH THE MENTAL HEALTH COURTS.

HOUSE BILL NO. 394

BY WAYS AND MEANS COMMITTEE

AN ACT

RELATING TO GROUND WATER DISTRICTS; AMENDING SECTION 42-5201, IDAHO CODE, TO REVISE A DEFINITION; AMENDING SECTION 42-5210, IDAHO CODE, TO PROVIDE FOR VOTES OF CITY GOVERNMENTS; AMENDING SECTION 42-5212, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 42-5214, IDAHO CODE, TO PROVIDE THAT CERTAIN GROUND WATER IRRIGATORS SHALL BE MEMBERS OF GROUND WATER DISTRICTS AND SUBJECT TO CERTAIN ASSESSMENTS, RIGHTS AND RESPONSIBILITIES, TO PROVIDE FOR ORDERS OF THE BOARD RELATING TO INCLUSION OF CERTAIN GROUND WATER IRRIGATORS IN GROUND WATER DISTRICTS, TO PROVIDE FOR NOTICE OF HEARING, TO PROVIDE FOR HEARING, TO PROVIDE FOR OBJECTIONS TO INCLUSION, TO PROVIDE FOR THE CERTIFICATION AND FILING OF ORDERS OF INCLUSION, TO PROVIDE FOR CERTAIN APPEALS, TO PROVIDE FOR CONCLUSIVENESS OF ORDERS OF INCLUSION, TO PROVIDE THAT CERTAIN GROUND WATER IRRIGATORS INCLUDED AS MEMBERS UPON ORDER OF THE BOARD SHALL BE LIABLE FOR SPECIFIED COSTS OF THE DISTRICT, TO PROVIDE A CORRECT CODE REFERENCE, AND TO PROVIDE THAT CERTAIN PERSONS WHO BECOME ENTITLED TO APPROPRIATE OR WHO APPROPRIATE GROUND WATER AFTER THE FORMATION OF A GROUND WATER DISTRICT SHALL BE DEEMED INCLUDED IN THE DISTRICT AND SUBJECT TO ASSESSMENTS AS OF A PARTICULAR DATE; AMENDING SECTION 42-5219, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 42-5220, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 42-5221, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 42-5222, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING CHAPTER 52, TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 42-5219, IDAHO CODE, TO PROVIDE FOR DIRECTORS AT LARGE; AMENDING SECTION 42-5224, IDAHO CODE, TO AUTHORIZE GROUND WATER DISTRICT BOARDS OF DIRECTORS TO INCUR SPECIFIED INDEBTEDNESS ON BEHALF OF THE DISTRICT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 42-5233, IDAHO CODE, TO PROVIDE THAT THE TERM FOR INDEBTEDNESS RELATING TO THE FUNDING OF MITIGATION PLANS SHALL NOT EXCEED THIRTY YEARS; AMENDING SECTION 42-5242, IDAHO CODE, TO PROVIDE THAT DELINQUENT ASSESSMENT LISTS SHALL BE DULY ACKNOWLEDGED BY GROUND WATER DISTRICT TREASURERS AND TO PROVIDE REQUIREMENTS FOR THE TREASURER RELATING TO PAYMENTS IN FULL OF DELINQUENT ASSESSMENTS AND PENALTIES; AMENDING SECTION 42-5244, IDAHO CODE, TO PROHIBIT THE PARTICIPATION IN MITIGATION PLANS FOR NONPAYMENT OF CERTAIN MITIGATION COSTS WHEN DUE UNTIL PAID IN FULL, TO REQUIRE GROUND WATER DISTRICTS TO PROVIDE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES WITH A REPORT OF PAST DUE

MITIGATION COSTS, TO AUTHORIZE THE DIRECTOR TO REQUIRE GROUND WATER DISTRICTS TO PROVIDE CERTAIN ACCOUNTINGS AND TO REQUIRE GROUND WATER DISTRICTS TO INFORM THE DIRECTOR IMMEDIATELY UPON PAYMENT OF PAST DUE MITIGATION COSTS; AMENDING SECTION 42-5245, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE ANNEXATION OF THE LANDS AND/OR FACILITIES OF CERTAIN USERS OF GROUND WATER INTO GROUND WATER DISTRICTS; AMENDING SECTION 42-5251, IDAHO CODE, TO PROVIDE REQUIREMENTS FOR PETITIONS FOR EXCLUSION OF LANDS AND TO PROVIDE REQUIREMENTS RELATING TO ACTIONS ON PETITIONS FOR EXCLUSION OF LANDS BY DISTRICT BOARDS; AMENDING SECTION 42-5253, IDAHO CODE, TO REVISE PROVISIONS AND REQUIREMENTS RELATING TO ORDERS OF EXCLUSION OF LANDS FROM GROUND WATER DISTRICTS; AMENDING SECTION 42-5256, IDAHO CODE, TO PROVIDE FOR FILING OF ANY DECISIONS OR ORDERS IN THE OFFICE OF SPECIFIED COUNTY RECORDERS; AMENDING SECTION 42-5259, IDAHO CODE, TO AUTHORIZE GROUND WATER DISTRICT BOARDS TO COLLECT PROPORTIONAL SHARES OF COSTS INCURRED UNDER MITIGATION PLANS FROM HOLDERS OF CERTAIN GROUND WATER RIGHTS WHERE THE LEGISLATURE HAS PROVIDED BY LAW THAT SUCH HOLDERS ARE TO BE DEEMED NONMEMBER PARTICIPANTS IN THE DISTRICT SOLELY FOR MITIGATION PURPOSES AND TO PROVIDE GUIDELINES; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 395
BY APPROPRIATIONS COMMITTEE**

AN ACT

RELATING TO APPROPRIATIONS; APPROPRIATING ADDITIONAL MONEYS FOR FISCAL YEAR 2006 TO PUBLIC SCHOOLS, STATE AGENCIES, AND STATE INSTITUTIONS FOR A TEMPORARY SALARY INCREASE FOR EMPLOYEES, CONTINGENT UPON THE ENDING BALANCE OF THE GENERAL FUND; DIRECTING THE DISTRIBUTION OF MONEYS BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION; ADOPTING THE GOVERNOR'S RECOMMENDATION FOR SALARY INCREASES; AND PROVIDING AN EFFECTIVE DATE FOR SALARY INCREASES FOR STATE EMPLOYEES AND STATE INSTITUTION EMPLOYEES.

**HOUSE BILL NO. 396
BY APPROPRIATIONS COMMITTEE**

AN ACT

RELATING TO APPROPRIATIONS; APPROPRIATING ADDITIONAL MONEYS FOR FISCAL YEAR 2006 TO CERTAIN STATE AGENCIES AND ENTITIES FOR A TEMPORARY SALARY INCREASE FOR JUSTICES, JUDGES AND COMMISSIONERS CONTINGENT UPON THE ENDING FUND BALANCE OF THE GENERAL FUND ON JUNE 30, 2005; PROVIDING FOR IMPLEMENTATION OF TEMPORARY SALARY INCREASES FOR

COMMISSIONERS; AMENDING SECTION 1-2222, IDAHO CODE, TO PROVIDE A TEMPORARY SALARY INCREASE FOR MAGISTRATES FOR FISCAL YEAR 2006 UPON CERTAIN CIRCUMSTANCES OCCURRING; AND AMENDING SECTION 59-502, IDAHO CODE, TO PROVIDE A TEMPORARY SALARY INCREASE FOR JUSTICES AND JUDGES FOR FISCAL YEAR 2006 UPON CERTAIN CIRCUMSTANCES OCCURRING.

**HOUSE BILL NO. 397
BY APPROPRIATIONS COMMITTEE**

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF THE GOVERNOR FOR THE HUMAN RIGHTS COMMISSION FOR FISCAL YEAR 2006.

H 393, H 394, H 395, H 396, and H 397 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

First Reading of Engrossed Bills

H 130, as amended, as amended in the Senate, by Judiciary, Rules and Administration Committee, was introduced, read the first time by title and filed for second reading.

H 92, as amended in the Senate, by Resources and Conservation Committee, was introduced, read the first time by title and filed for second reading.

H 36, as amended in the Senate, and **H 37**, as amended in the Senate, by Agricultural Affairs Committee, were introduced, read the first time by title and filed for second reading.

H 281, as amended in the Senate, by Revenue and Taxation Committee, was introduced, read the first time by title and filed for second reading.

Second Reading of Bills and Joint Resolutions

H 377, H 378, H 379, H 380, H 381, H 382, H 383, H 384, and H 385, by Appropriations Committee, were read the second time by title and filed for third reading.

S 1230, by Finance Committee, was read the second time by title and filed for third reading.

H 376, H 386, and H 372, as amended, by Ways and Means Committee, were read the second time by title and filed for third reading.

H 369, as amended, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

S 1217, by State Affairs Committee, was read the second time by title and filed for third reading.

S 1196, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 377** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 377** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bayer, Nonini, Roberts, Sali, Stevenson, Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 377** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Skippen to open debate.

Mr. Mathews asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 377**. There being no objection, it was so ordered.

The question being, "Shall **H 377** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2),

Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- Barrett, Loertscher, Nielsen. Total -- 3.

Absent and excused -- Nonini. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 377** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 378** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 378** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bayer, Nonini, Roberts, Sali, Stevenson, Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 378** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Skippen to open debate.

The question being, "Shall **H 378** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, LeFavour, Martinez, Miller, Mitchell, Moyle, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sayler, Shepherd(2), Shepherd(8),

Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 57.

NAYS -- Barrett, Hart, Lake, Loertscher, Mathews, McGeachin, McKague, Nielsen, Sali, Schaefer, Smith(24). Total -- 11.

Absent and excused -- Nonini, Roberts. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 378** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 379** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 379** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalc, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bayer, Nonini, Roberts, Sali, Stevenson, Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 379** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Skippen to open debate.

The question being, "Shall **H 379** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller,

Mitchell, Moyle, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalc, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- Loertscher, Nielsen, Sali. Total -- 3.

Absent and excused -- Black, Crow, Nonini, Roberts. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 379** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 380** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 380** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalc, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bayer, Nonini, Roberts, Sali, Stevenson, Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 380** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Henbest to open debate.

The question being, "Shall **H 380** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake,

LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Crow, Nonini, Smith(24), Wood. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 380** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 381** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 381** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bayer, Nonini, Roberts, Sali, Stevenson, Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 381** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Henbest to open debate.

The question being, "Shall **H 381** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson,

Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 60.

NAYS -- Barrett, Hart, Loertscher, McKague, Nielsen, Sali, Schaefer. Total -- 7.

Absent and excused -- Crow, Nonini, Wood. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 381** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 382** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 382** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bayer, Nonini, Roberts, Sali, Stevenson, Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 382** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Skippen to open debate.

The question being, "Shall **H 382** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Bradford, Cannon,

Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 62.

NAYS -- Barrett, Boe, Hart, Loertscher, Nielsen, Sali. Total -- 6.

Absent and excused -- Crow, Nonini. Total -- 2.
Total -- 70.

Whereupon the Speaker declared **H 382** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 383** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 383** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bayer, Nonini, Roberts, Sali, Stevenson, Wood. Total -- 6.
Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 383** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Henbest to open debate.

The question being, "Shall **H 383** pass?"

Roll call resulted as follows:

AYES -- Anderson, Barraclough, Bastian, Bayer, Bedke,

Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, LeFavour, Martinez, Miller, Mitchell, Moyle, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sayler, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 54.

NAYS -- Andrus, Barrett, Clark, Hart, Lake, Loertscher, Mathews, McGeachin, McKague, Nielsen, Roberts, Sali, Schaefer, Wood. Total -- 14.

Absent and excused -- Crow, Nonini. Total -- 2.
Total -- 70.

Whereupon the Speaker declared **H 383** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 384** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 384** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bayer, Nonini, Roberts, Sali, Stevenson, Wood. Total -- 6.
Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 384** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Skippen to open debate.

The question being, "Shall **H 384** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- Loertscher, Nielsen, Sali, Schaefer. Total -- 4.

Absent and excused -- Crow, Nonini. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 384** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 385** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 385** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bayer, Nonini, Roberts, Sali, Stevenson, Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 385** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Henbest to open debate.

Mrs. Garrett asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 385**. There being no objection, it was so ordered.

The question being, "Shall **H 385** pass?"

Roll call resulted as follows:

AYES -- Anderson, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, LeFavour, Martinez, McKague, Miller, Mitchell, Moyle, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Saylor, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 53.

NAYS -- Andrus, Barraclough, Barrett, Clark, Hart, Lake, Loertscher, Mathews, McGeachin, Nielsen, Roberts, Rydalch, Sali, Schaefer, Shepherd(8), Wood. Total -- 16.

Absent and excused -- Bayer. Total -- 1.

Paired Vote:

AYE -- Nonini. NAY -- Nielsen.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 385** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

March 29, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 394**.

FIELD(18), Chairman

H 394 was filed for second reading.

Mr. Denney moved that the House recess until 1:15 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1:15 p.m.

RECESS

Afternoon Session

The House reconvened at 1:15 p.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent and excused -- Nonini. Total -- 1.

Total -- 70.

Prior to recess, the House was at the Fifth Order of Business.

Report of Standing Committees

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **S 1230** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1230** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Barraclough, Nonini, Sali, Smylie. Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1230** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **S 1230** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Nonini, Sali. Total -- 2.
Total -- 70.

Whereupon the Speaker declared **S 1230** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 376** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 376** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Barraclough, Nonini, Sali, Smylie. Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 376** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bedke to open debate.

The question being, "Shall **H 376** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Nonini. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 376** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 386** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 386** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Barraclough, Nonini, Sali, Smylie. Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 386** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

Mr. Clark asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 386**. There being no objection, it was so ordered.

The question being, "Shall **H 386** pass?"

Roll call resulted as follows:

AYES -- Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Cannon, Chadderdon, Clark, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Martinez, Miller, Mitchell, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Sayler, Shepherd(2), Shirley, Skippen, Smith(30),

Smith(24), Smylie, Snodgrass, Stevenson, Trail, Mr. Speaker. Total -- 45.

NAYS -- Anderson, Andrus, Barraclough, Barrett, Bayer, Bolz, Bradford, Collins, Crow, Denney, Hart, Harwood, Loertscher, Mathews, McGeachin, McKague, Moyle, Nielsen, Roberts, Rydalch, Sali, Schaefer, Shepherd(8), Wills, Wood. Total -- 25.

Paired Vote:

AYE -- Nonini. NAY -- Moyle.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 386** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that **H 372**, as amended, be returned to the Resources and Conservation Committee. There being no objection, it was so ordered.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 369**, as amended, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 369**, as amended, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Barraclough, Nonini, Sali, Smylie. Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 369**, as amended, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge and Mr. Anderson to open debate.

The question being, "Shall **H 369**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Bradford, Chadderdon, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Jones, Kemp, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smylie, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- Boe, Cannon, Clark, Deal, Henbest, Lake, LeFavour, Mitchell, Rusche, Smith(30), Snodgrass. Total -- 11.

Absent and excused -- Smith(24). Total -- 1.

Paired Vote:

AYE -- Nonini. NAY -- Lake.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 369**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **S 1217** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1217** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Barraclough, Nonini, Sali, Smylie. Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1217** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Jones to open debate.

The question being, "Shall **S 1217** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Lake, Nonini, Smith(24). Total -- 3.

Total -- 70.

Whereupon the Speaker declared **S 1217** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **S 1196** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1196** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Barraclough, Nonini, Sali, Smylie. Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1196** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final

consideration.

At this time, the Speaker recognized Mr. Nielsen and Mr. Martinez to open debate.

The question being, "Shall **S 1196** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Crow, Lake, Nonini, Smith(24). Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1196** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 394** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 394** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Barraclough, Nonini, Sali, Smylie. Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 394** was read the first

time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Stevenson to open debate.

The question being, "Shall **H 394** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, Martinez, Mathews, McGeachin, Miller, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 60.

NAYS -- Barrett, Jones, LeFavour, Loertscher, Mitchell, Sali, Schaefer. Total -- 7.

Absent and excused -- McKague, Nonini, Wood. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 394** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 10 a.m., Wednesday, March 30, 2005. Seconded by Mr. Sayler. Motion carried.

Whereupon the Speaker declared the House adjourned at 3:03 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk